5. The effect of Kennecott's acquisition of Okonite may be substantially to lessen competition in the line of commerce of refined copper in the United States in violation of Section 7 of the Clayton Act.

6. Kennecott's acquisition of Okonite constitutes a violation of Section 7 of the Clayton Act, as amended.

Submit decree, on notice, in accordance herewith, providing for divestiture.

Dated: New York, N. Y.
July 2, 1964

ARCHIE O. DAWSON
U.S.D.J.

Final Judgment

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
Civil Action No. 147-231

UNITED STATES OF AMERICA,
Plaintiff,

—v.—

KENNECOTT COPPER CORPORATION,
Defendant.

This cause having been heard and the Court having fully considered the evidence, arguments and briefs and being fully advised herein, and the Court having filed its Opinion, Findings of Fact and Conclusions of Law, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The acquisition by defendant Kennecott Copper Corporation through its subsidiary, The Okonite Company, the Delaware corporation, of the assets and business of The Okonite Company, the New Jersey corporation, as charged in the complaint herein, constitutes a violation of Section 7 of the Clayton Act, 15 U.S.C. §18.

2. Defendant Kennecott Copper Corporation is ordered to divest itself of the stock and business of The Okonite Company, the Delaware corporation, and to cause the divestiture of such business activities by sale or other means

or methods as the Court may hereafter determine and decree as just and equitable, so that the business of The Okonite Company and the parts and divisions thereof shall be reconstituted as an independent corporation capable of existence as a viable business.

3. Defendant Kennecott is ordered to submit to the Court within sixty days of this Final Judgment a proposed plan to carry this divestiture into effect and plaintiff shall have thirty days thereafter to file any opposition or to make any alternative or further proposals.

4. Pending Kennecott's divestiture of The Okonite Company, Kennecott shall administer the assets and business of The Okonite Company as a going business with a view to preserving and continuing it in as good condition as possible. Defendant shall also afford notice of any changes falling within the terms of PRETRIAL ORDER No. 3 in this case, filed December 23, 1959.

5. Defendant is hereby enjoined from acquiring the stock, assets or business of any company engaged in the production, fabrication or sale of refined copper or insulated wire and cable or paper insulated power cable for a period of five years from the date of the accomplishment of the divestiture decreed by this Final Judgment, other than the purchases of the products of such companies in the normal course of business.

6. Jurisdiction of this cause is retained by this Court for the purpose of enabling either party to this Final Judgment to apply to this Court at any time for such

further orders and directions as may be necessary or appropriate for the equitable modification, construction, carrying out or supplementation of this Final Judgment and for the enforcement of compliance therewith.

7. For a period of five years from the date of the accomplishment of the divestiture decreed by this Final Judgment and for the purpose of securing compliance with this Final Judgment, duly authorized representatives of the Department of Justice shall, upon request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to defendant made to its principal office, be permitted, subject to any legally recognized privilege:

(A) Access during the office hours of defendant to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession, custody or control of defendant as relate to any matters contained in this Final Judgment; and

(B) Subject to the reasonable convenience of defendant, but without restraint or interference from it, to interview officers, directors, agents or employees of defendant, who may have counsel present, regarding any such matters.

No information obtained by the means provided in this section shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Department of Justice, except in the course of legal proceedings in which the Department of Justice is a party, for the purpose of secur-

ing compliance with this Final Judgment, or as otherwise required by law.

8. Plaintiff's costs for the transcript of trial are taxed against the defendant.

Dated: New York, New York
November 24th, 1964

SYLVESTER J. RYAN
United States District Judge

Judgment Entered 11/24/64
JAMES E. VALECHE
Clerk